



Fair Housing Pre-Test

Common Myths and Violations

True or False (Circle One)

Awareness of the Issue

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| 1. | Licensees who work in areas where there are few minorities shouldn't worry, because they won't have a problem complying with fair housing laws. | T | F |
| 2. | The first Civil Rights Act was passed in 1964. | T | F |
| 3. | As late as the 1950's, FHA and the real estate community encouraged segregation of neighborhoods as long as it contributed to keeping up neighborhood values. | T | F |

Best Intentions

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| 4. | A housing provider must act with discriminatory intent before being held liable under the Fair Housing Act. | T | F |
| 5. | Although a rental policy may be non-discriminatory on its face it may still constitute a violation of the Fair Housing Act if it has an adverse effect on a protected class. | T | F |

Testers

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| 6. | It is relatively easy for licensees to tell if they are being tested. | T | F |
| 7. | Testers have to answer truthfully if they are asked if they are testers. | T | F |
| 8. | A housing discrimination complaint can only be filed by an individual who is renting or buying a dwelling. | T | F |

Who Is In Protected Classes

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| 9. | The Fair Housing Act prohibits discrimination based on age. | T | F |
| 10. | Federal Fair Housing laws only protect minorities. | T | F |

Liability for Others

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| 11. | A real estate licensee is merely a liaison between a renter/buyer and a property owner and cannot be held liable under the Fair Housing Act for any of the owners' discriminatory policies which the licensee may communicate. | T | F |
| 12. | The principal broker of the firm can be found liable for an agent's actions, even if the broker was unaware of the events leading to the violation of the Fair Housing Act. | T | F |

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| 13. | An employee of a housing provider, as well as the housing provider, can be held accountable for derogatory statements made about a client or the client's dwelling, which are overheard by the client. | T | F |
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Disparate Treatment

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| 14. | Serving coffee to one prospect who happens to be white and not serving coffee to a prospect who is Hispanic is a violation of the Fair Housing Act in and of itself. | T | F |
| 15. | A housing provider may refuse to make reasonable accommodations for a person with disabilities. | T | F |
| 16. | Housing providers may charge families with children higher security deposits than families without children because the presence of children results in more wear and tear on the property. | T | F |
| 17. | A housing provider may impose an occupancy standard of two persons per bedroom irrespective of the size of the apartment. | T | F |

Familial Status

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| 18. | A landlord may prevent children under the age of eighteen using the pool unless accompanied by a parent. | T | F |
| 19. | The Fair Housing Act allows owners to refuse to sell to families with minor children in an adult development that meets the law's "senior adult over 55 and older" provision. | T | F |

Advertising

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| 20. | A listing agent may advertise a home by specifying: "Seniors Welcome" or "Near the Synagogue". | T | F |
| 21. | Displaying advertising that doesn't include the equal housing logo or slogan is okay as long as the Publisher's Notice is included in the lead page of the classified. | T | F |

Disclosure v. Fair Housing Law

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| 22. | The buyer's agent asks the listing agent directly if the seller has AIDS. The listing agent knows that to be a fact, so must disclose it to the buyer's agent. | T | F |
| 23. | The house next door to the listing is a group home for mentally retarded teenagers. This must be disclosed by licensees as a material fact. | T | F |

Miscellaneous

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| 24. | Local or state laws that are more lenient than the federal fair housing law take precedence. | T | F |
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| 25. | Oral statements indicating a discriminatory preference, limitation or bias in the sale or rental of a dwelling are legally protected under free speech and exempt from coverage under the Fair Housing Act. | T | F |
| 26. | It is a constitutional right to sell or rent your property to anyone you want. | T | F |
| 27. | Owners who don't use real estate brokers may discriminate in the sale or lease of their property without exception. | T | F |
| 28. | It is okay for a licensee to choose properties for prospects based on their race, national origin or familial status because the licensee thinks they will be more comfortable in a neighborhood where there are more people like them. | T | F |
| 29. | Not presenting an offer from a member of a protected class is okay as long as there is currently another offer pending the owner's consideration. | T | F |
| 30. | Licensees who are charged with violating the Fair Housing Act may be found guilty if they fail to prove they did not discriminate (as opposed to the plaintiff having to show that they did). | T | F |